IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

KIM L. ANDERSON,

Petitioner,

v.

Case No. 2:13-CV-00622
Judge Sargus
Magistrate Judge King

WARDEN, CHILLICOTHE CORRECTIONAL INSTITUTION,

Respondent.

ORDER

On June 23, 2014, the United States Magistrate Judge recommended, *inter alia*, that Petitioner's *Motion for Summary Judgment and Bail*, Doc. No. 16, be denied. *Order and Report and Recommendation*, Doc. No. 20. [1] This matter is now before the Court on Petitioner's objection to that recommendation. *Objection*, Doc. No. 21. The Court will consider the matter *de novo*. *See* 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b).

Petitioner persists in his contention that the claims presented in the *Petition* are meritorious, that he is therefore entitled to summary judgment and that he should be released on bail pending final resolution of this action.

Respondent contends that Petitioner's habeas corpus claims are either procedurally defaulted or offer no basis for federal habeas corpus relief. *Return of Writ*, Doc. No. 14. The Court will consider these issues in due course. In the meantime, however, this Court agrees with the Magistrate Judge that summary judgment is unwarranted.

[1] The Magistrate Judge also denied Petitioner's *Motion to Expand the Record*, Doc. No. 7, and recommended that Petitioner's *Motion for Judgment of the Pleading*, Doc. No. 19, be denied. Petitioner's *Objection*, Doc. No. 21, does not address that order or recommendation.

Moreover, the Court agrees with the Magistrate Judge that Petitioner's request for release on bail pending final resolution of the case does not present the exceptional circumstances that would warrant such extraordinary relief. *See Dotson v. Clark*, 900 F.2d 77, 79 (6th Cir. 1990) (citing *Aronson v. May*, 85 S.Ct. 3, 5 (1964)).

Petitioner's objection to the recommendation of the Magistrate Judge, *Objection*, Doc. No. 21, is therefore **DENIED**. The *Report and Recommendation*, Doc. No. 20, is **ADOPTED AND AFFIRMED.** Petitioner's *Motion for Summary Judgment and Bail*, Doc. No. 16, and Petitioner's *Motion for Judgment of the Pleading*, Doc. No. 19, are **DENIED.**

7-8-2014
Date

Edmund A. Sargus, Jr.
United States District Judge